

District II Advisory Board Minutes

March 7, 2011

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The District II Advisory Board meeting was held at 7:02 p.m. at Fire Station #20 located at 2255 S. Greenwich Road. CM Schlapp was in attendance, (7) board members attended, (4) staff and approximately (25) citizens were in attendance. Only those individuals who signed in are listed as guests below.

Members Present

Max Weddle
Daryl Crotts
Tom Roth
David Mollhagen
Sarah Devries
Marty Weeks
Phil Ryan

April Leason
Brian Carduff

Staff Present

Antione Sherfield- Neighborhood Assistant
Bill Longnecker – Planning Department
Officer Lloyd – Wichita Police Department
Captain Wells – Wichita Fire Department

Members Absent

Paula Hancock
Aaron Mayes

ORDER OF BUSINESS

CALL TO ORDER

The meeting was called to order at 7:00 p.m. Council Member Schlapp welcomed everyone and explained how the DAB meeting is conducted. DAB members did introductions.

APPROVAL OF MINUTES AND AGENDA

- **March Agenda approved (7-0)**
- **Approval of February Minutes approved (7-0)**

PUBLIC AGENDA

1. Off-Agenda Items

Brenda Salvati, Assistant Director with the Wichita/Sedgwick County RPC at Mirror, Inc. provided information in regard to the Stand Together Coalition. The Coalition is working to create a drug free environment. The Coalition works to engage USD 259 Schools to create campaigns to make local teens aware of the dangers to underage drinking and substance abuse.

It is currently targeting the Eastside of Wichita coupled with the assistance of the Patrol East Sub-Station. The program needs partners to assist and welcomes any volunteers that want to participate. Lastly, she stated that the next generation needs our help and encouraged individuals to get involved.

CM Schlapp thanked Ms. Salvati for the presentation and wished the Coalition well.

Recommended Action: Receive and file

2. **Beverly Zerber** spoke to the District Advisory Board in regard to the lease agreement at Wichita Ice Center. Ms. Zerber stated that she has worked for years to bring the Ice Center to Wichita. She stated that the Ice Center is a healthy alternative to the community and would like to see the existing company continue to manage the facility.

CM Schlapp thanked Mrs. Zeber for her comments and applauded support and efforts to bring the Ice Center to Wichita.

Recommended Action: Receive and file

3. **Dr. Kirby** spoke to the District Advisory Board in reference to concrete medians that were constructed during the widening of Harry Street between Greenwich Road and 127th Street. She stated that during the pre-construction meetings the residents were under the impression that the City would build a three way road. The medians are obstructing drivers view and making it unsafe for left turns in the area.

Antione Sherfield, Neighborhood Assistant, made Dr. Kirby aware that he was in contact with the Public Works Department regarding the medians and would follow up with the residents.

CM Schlapp thanked Dr. Kirby for sharing the concerns.

Recommended Action: Receive and file

STAFF REPORT

2. **Community Police Report**

Officer Lloyd provided information pertaining to current crime trends in District II. Officer Lloyd stated that he has been working with the City of Wichita Traffic Engineer to see how we can ease the traffic issues near Towne East Mall. Officer Lloyd also stated that the Wichita Police Department and Sedgwick County partnered in a task force to ticket over three hundred (300) citizens driving down 21st Street from Andover Road to Maize Road. There were hundreds cited for speeding violations, several cited for seatbelt violations, and (3) cited for DUI.

Lastly, he stated that the Wichita Police Department is gearing up for the Race for Cure that will take place September 24, 2011. The organizers are looking at changing the route of the race but no definite plans have been made.

CM Schlapp thanked Officer Lloyd and the Police Department for the fine work they provide our community.

Recommended Action: Receive and file

3. Community Fire Report

Captain Wells provided information pertaining to Fire Service calls in District II. Captain Wells stated that there was one (1) fire in District II in the month of February. The cause of the fire was unattended smoking on a balcony. Citywide there was nineteen (19) total fires in the month of February with damages estimated over one million dollars.

CM Schlapp thanked Captain Wells and the Fire Department for the fine work and service they provide our community.

Recommended Action: Receive and file

NEW BUSINESS

4. DER2010-16 Wireless Communications Master Plan Update

Bill Longnecker, Planning Department provided information pertaining to Wireless Communications Master Plan Update.

Background: Several recent wireless communication cases have involved requests for lattice towers to support microwave antenna installations for point-to-point data communications. Each of the requested lattice towers was shorter than 150 feet in height; therefore, Section VI.B.3. of the Wireless Communication Master Plan indicates that the type of tower that should be approved for such requests is a monopole. However, the applicants asserted that the sway and twist capabilities of a lattice tower are superior to that of a monopole and are necessary to avoid data loss in a microwave-based point-to-point data communications system.

The hearings on these requests involved significant time and effort by all parties, and as a result, the Wichita City Council requested a workshop to discuss the issue. At the workshop held on November 16, 2010, the consensus of the City Council was that favoring a monopole in all instances where a tower is shorter than 150 feet is too restrictive and that Section VI.B.3. should be revised to allow lattice towers in additional situations.

Analysis: On January 6, 2011, the MAPC initiated the process to amend the Wireless Communication Master Plan and assigned the Advance Plans Committee to review the issue and submit a recommendation. On February 10, 2011, the MAPC received a recommendation from the Advance Plans Committee. The recommended update is attached. The recommended update focuses on three areas:

1. Pages 20-21 have recommended revisions to Section VI.B.3. These revisions attempt to clarify when it is acceptable to use a lattice tower and when it is acceptable to use a monopole. The proposed revisions include both a written description and a visual illustration of the acceptable tower types.
2. The current version of the plan references the “existing” zoning code. However, these references are outdated since the zoning code has been updated twice since the plan was adopted. Therefore, these references have been deleted or modified so that they are currently accurate.
3. In 2008, the zoning code was updated to change the heights and zoning districts in which Administrative Permits could be granted, and Administrative Permits in the City were limited to designated properties. Additionally, the zoning code was updated to reflect changes in FAA lighting requirements and to remove an “economic feasibility” test when considering requests for new towers. Therefore, the plan has been updated to reflect these changes.

Financial Consideration: Adopting the March 2011 Update to the Wireless Communication Master Plan involves no commitment of funding for the City of Wichita.

Goal Impact: The March 2011 Update to the Wireless Communication Master Plan will help achieve the goals of Promoting Economic Vitality, Creating Vibrant Neighborhoods, and Ensuring Efficient Infrastructure.

Legal Consideration: The MAPC, in accordance with Kansas state statutes, published the required public hearing notice in the official City and County newspaper on February 17, 2011. On March 10, 2011, the MAPC will hold the statutorily-required public hearing to consider adopting the March 2011 Update to the Wireless Communication Master Plan as an amendment to The Wichita-Sedgwick County Comprehensive Plan.

Recommended Action : The DAB voted (7-0) for the action to recommend that the City Council adopt of the March 2011 Update to the Wireless Communication Master Plan as an amendment to The Wichita-Sedgwick County Comprehensive Plan.

5. ZON2011-0002

Bill Longnecker, Planning Department provided information pertaining to a City Zone request located on the northwest corner of East Central Avenue and North 159th Street East.

On Monday, March 7, 2011, the District II Advisory Board considered the request to change Zoning from SF-5 Single-family Residential (“SF-5”) to General Office (GO) located on the Northwest corner of East Central Avenue and North 159th Street East.

The applicant is seeking GO General Office (“GO”) zoning for 2.04 acres, zoned SF-5 Single-family Residential (“SF-5”), that are located at the northwest corner of East Central Avenue and North 159th Street East. The subject property is platted as Lots 1, 2, 3 and 4, Block 3, Brookhaven Estates. Lots 1, 2 and 3 are vacant. Lot 4, the northwest corner of the application area, is developed with a single-family home that is owned by

the applicant. The plat depicts forty-foot building setbacks along Lancaster and 159th Street. The application area has 360 feet of frontage along Central Avenue and 246.66 feet along 159th Street and Lancaster Street.

Two single-family homes, zoned SF-5, are located immediately north of the application area. East, across 159th Street, is the Terradyne office building and southeast is an animal care clinic, both of which are in the City of Andover and zoned B-1 Office Business district. The land east of the application area (159th Street and east) is located in the City of Andover. Land located south of the application area is developed with a single-family residential subdivision (Belle Terre Addition), zoned SF-5, as is the land located to the west (part of Brookhaven Estates Addition).

Examples of uses permitted by right in the GO district include: single-family residential, duplex, multi-family, assisted living, group home, group residence, church, community assembly, hospital, nursing facility, elementary or middle school, automated teller machine, bed and breakfast inn, funeral home, medical service and general office. The GO district permits building heights of 60 feet.

If this request is approved, the Unified Zoning Code (UZC) requires non-residentially zoned lots that are adjacent to SF-5 or TF-3 Two-family Residential (“TF-3”) zoned lots to provide screening along the common rear and interior lot lines. The required screening can be fencing, evergreen vegetation, berm or a combination of the three. If fencing alone is used for screening, the landscape ordinance will also require one tree every forty feet along the common property line. Additionally, the landscape ordinance will require landscape street yard plantings and parking lot screening. Outdoor loading or work areas and dumpsters located within 150 feet of the property line are required to be screened. Dumpsters may not be located within twenty feet of any property zoned TF-3 or SF-5. Rooftop mechanical equipment must be screening from ground view. Compatibility setbacks of at least fifteen feet are required where side and rear lot lines of MF-18 Multi-family Residential (“MF-18”) or more intense zoning are adjacent to property zoned SF-5 or TF-3. Compatibility building height standards limit buildings to thirty-five feet in height unless additional setback is provided.

The GO district permits one ground or pole sign up to thirty-two square feet in size on a single-tenant zoning lot. Multi-tenant lots sharing the same sign may have up to twenty-four square feet each, up to a maximum sign size of ninety-six square feet. If more than one business is located on a zoning lot, additional pole or ground signs may be permitted when the signs are separated by 150 feet. Ground or pole signs are prohibited from being located within fifteen feet of an adjacent property line. Sign height is limited to twenty-two feet. Maximum pole or ground signage on a zoning lot shall not exceed one-half square foot per linear foot of street frontage. Lighting of signs is limited to indirect or internal illumination of white light only. Flashing or moving images are prohibited. Institutional uses may be permitted portable signs in certain circumstances. Building signage not exceeding thirty-two square feet in area or thirty feet in height, and limited to one per building elevation for each major use in the building, provided the total amount of building signage for each major use in the building does not exceed thirty-two square feet; and provided that the building elevation to which any sign is to be attached shall have one of the following: street frontage, be adjacent to a nonresidential zoning district or if adjacent to a residential district, there must be parking, loading or open

space area with a depth of 150 feet or more as measured from the face of the sign to the property line which adjoins the residential district.

CASE HISTORY: The application area is Lots 1, 2, 3 and 4, Block 3, Brookhaven Estates Addition. Brookhaven Estates Addition was recorded on June 2, 1954.

ADJACENT ZONING AND LAND USE:

NORTH:SF-5; single-family residences

SOUTH: SF-5; single-family residences

EAST: B-1 Business Office (Andover); office, golf course, animal care

WEST: SF-5; single-family residences

Citizens had the following questions and concerns:

- Residents would like to see plans of land use prior to sale of land.
- Concerned property will be re-zoned again if not sold.
- There is not a need for office space in the area due to the vacancy of other office spaces in the area.
- Potential lighting issues in the neighborhood from potential parking area.
- Potential signage issues.
- Impact on property values in the area.
- Once land is sold, they will have no control in regard to what is built.
- Will this office space fit in with the community spirit?
- Will office space be built to blend in with homes in the neighborhood?
- Will there be screening and appropriate landscaping if developed?
- There are only eleven (11) homes in the petition area.
- Additional traffic in the neighborhood causing potential damage to streets.
- If property is re-zoned to General Office, they would like massive restrictions imposed.

Recommended Action: The **DAB** voted **(6-1)** to defer the case until April 4, 2011. The deferral will allow the applicant and residents time meet and potentially work out an agreement prior to the MAPC meeting scheduled for March 10, 2011.

With no further business, the meeting was adjourned at 8.55 p.m. The next **DAB II Meeting will be April 4, 2011**

Respectfully Submitted,
Antione Sherfield, Neighborhood Assistant

